

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JANUARY 12, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** December 8, 2004
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

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IX. PRESENTATION

- 1. REDEVELOPMENT AGENCY ANNUAL REPORT:** Review of FY 2003-2004 Redevelopment Agency Audited Financial Statements and Annual Report. Emma Karlen, Finance Director, (408) 586-3145. (*Recommendation: N/A*)

X. PUBLIC HEARING

- 2. ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-12, USE PERMIT NO. UP2004-31, AND "S" ZONE APPROVAL AMENDMENT NO. SA2004-95:** A request for approval of a 38,632 square foot religious facility in an existing building in the Heavy Industrial (M2) zoning district with ancillary uses, including classrooms, offices and multipurpose rooms, which requires a parking modification, and the adoption of a mitigated negative declaration, at 215 Topaz Street (APN: 086-39-024). Applicant: David K. Jeng. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2402) (*Recommendation: Approval with Conditions*)

- * 3. **USE PERMIT AMENDMENT NO. UA2004-18:** A request to add food convenience sales to an existing Walmart retail store consisting of refrigerated and frozen food display and a walk-in cooler and freezers at 301 Ranch Drive (APN: 022-29-016) zoned General Commercial (C2). Applicant: Raymond H. Harris. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2408) *(Recommendation: Approval with Conditions)*
- * 4. **USE PERMIT AMENDMENT NO. UA2004-15:** A request to add 20 seats to an existing take-out restaurant with no seating, located at 141 Dixon Road (APN: 026-05-019), zoned Neighborhood Commercial (C1). Applicant: Ngo Luong. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2296) *(Recommendation: Approval with Conditions)*
- * 5. **ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-10, USE PERMIT NO. UP2004-17, AND 'S' ZONE APPROVAL AMENDMENT NO. SA2004-70:** A request to install an approximately 63 foot tall artificial tree pole, six (6) telecommunication antennas and associated ground mounted equipment located at 420 Railroad Court (APN: 022-31-028), zoned Heavy Industrial (M2)-Midtown. Applicant: Nextel. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2384) *(Recommendation: Adopt Mitigated Negative Declaration and Approve with Conditions)*
- * 6. **USE PERMIT NO. UP2004-39:** A request to locate a video rental and sales store at 1351 Jacklin Road (APN: 029-05-040), zoned Neighborhood Commercial (C1). Applicant: Steven Luk. Project Planner: Cindy Hom, (408) 586-3284. (PJ# 2301) *(Recommendation: Approval with Conditions)*
- * 7. **USE PERMIT NO. UP2004-63:** A request to operate a retail office furniture store in 39,500 square feet of an existing industrial building, which includes modifications to parking requirements, located at 155-166 S. Milpitas Boulevard (APN: 086-28-030), zoned Heavy Industrial (M2). Applicant: West Coast Office Solutions. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2407) *(Recommendation: Approval with Conditions)*
- * 8. **USE PERMIT AMENDMENT NO. UA2004-14 AND S-ZONE APPROVAL AMENDMENT SA2004-114:** A request to amend an existing use permit to add outdoor seating and the serving of beer and wine at Indotaste Restaurant, located at 273 West Calaveras Boulevard, (APN: 022-25-042), zoned General Commercial (C2). Applicant: Harry Kho. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2351) *(Recommendation: Approval with Conditions)*
- * 9. **SIX MONTH REVIEW NO. PR2004-8:** A six-month review of Tofu House Restaurant to verify compliance with special conditions of approval associated with Use Permit Amendment No. UA2002-8 and the third six month review of Anh Hong Saigon Restaurant (UA2003-18), continued from the September 24, 2003 meeting, located at 231 and 233 West Calaveras Boulevard (APN: 022-25-041), zoned General Commercial (C2). Applicants: Tofu House and Anh Hong Saigon Restaurant. Project Planner: Troy Fujimoto, 586-3287. (PJ# 2245) *(Recommendation: Note Receipt and File)*

XI. NEW BUSINESS

- * **10. "S" ZONE APPROVAL AMENDMENT NO. SA2004-119:** A request to have an outdoor display and/or for-sale products at the front of the Save Mart Supermarket, 215 West Calaveras Boulevard (APN: 022-25-048), zoned General Commercial (C2). Applicant: Save Mart Supermarket. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with Conditions)*

XII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS January 26, 2005

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Zeya Mohsin-regular member, Al Garcia-regular member, Gurdev Sandhu-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **"S" ZONE APPROVAL AMENDMENT NO. SA2004-127:** A request for a two-day Chinese New Year Tent Event (1/29/05 to 1/30/05) with loudspeakers at the southeast end of the Great Mall, 1100 South Main (APN: 086-24-055), Zoned General Commercial (C2). Applicant: Dennis Wan. Project Planner: Dennis Carrington, (408) 586-3275.
- b. **"S" ZONE APPROVAL AMENDMENT NO SA2004-128:** A request for a new 560 square foot shed for storage of chairs and tables at St. John the Baptist Catholic Church, 279 S. Main Street, zoned Mixed Use (MXD). Applicant: Mel Magat, Sr. Project Planner: Staci Pereira, (408) 586-3278.
- c. **"S" ZONE APPROVAL AMENDMENT NO SA2004-104:** A request to install a new 5'-11" freestanding sign located at 1770 Milmont Drive (APN 22-37-031), zoned Neighborhood Commercial (C1). Applicant: Sign of California. Project Planner: Cindy Hom, (408) 586-3284.
- d. **"S" ZONE APPROVAL AMENDMENT NO SA2004-126:** A request to have (4) separate outdoor tent events occurring on 1/21/05, 4/226/05, 7/29/05, and 10/21/05. Events will be held in the parking lot located at 790 Sycamore Drive (APN 86-03-022), zoned Industrial Park (MP). Applicant: Stuart Rental Company. Project Planner: Cindy Hom (408) 586-3284.

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AGENDA FOR JANUARY 26, 2005
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455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

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- IV. APPROVAL OF MINUTES:** January 12, 2005
- V. ANNOUNCEMENTS**
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IX. PUBLIC HEARING

- 1. USE PERMIT NO. UP2004-12, "S" ZONE APPROVAL AMENDMENT NO. SA2004-107 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-11:** A request for approval to operate a community center in an existing 38,743 square foot industrial building with uses to include administrative offices, fitness center, library, classrooms, youth and senior programs, after-school tutoring, medical services, auditorium for events, and cafeteria/kitchen, as well as building and site modifications, located at 525 Los Coches Street (APN: 086-28-052), zoned "MP" Industrial Park (PJ # 2405). Applicant: India Community Center. Project Planner: Kim Duncan, (408) 586-3283. *(Recommendation: Adopt Mitigated Negative Declaration and Approve with Conditions)*
- * 2. MINOR TENTATIVE PARCEL MAP NO. MI2004-4:** Request approval for a tentative parcel map to subdivide a 19.49-acre parcel to create a 7.51-acre parcel and a 11.98-acre parcel located at 1100 Cadillac Court and 380 Fairview Way (APN: 022-38-016), zoned "MP" Industrial Park (PJ #3185). Applicant: Grubb & Ellis. Project Planner: Cindy Hom, (408) 586-3284. *(Recommendation: Approval with Conditions)*

X. NEW BUSINESS

- 3. PLANNING COMMISSION UPDATE ON THE BROWN ACT AND CONFLICT OF INTEREST:** Kit Faubion, City Attorney, will make a presentation on the Brown Act and Conflict of Interest. This item was agendaized in lieu of individual meetings with the new Planning Commission members.
(Recommendation: No action is necessary)

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS February 9, 2005

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. "S" ZONE APPROVAL AMENDMENT NO. SA2005-6:** A request for an awning over the entrance of the McCarthy Ranch Chevron at 367 Cypress (APN: 086-47-008), Zoned Light Industrial (M1). Applicant: Chris Ferretti. Project Planner: Dennis Carrington, (408) 586-3275.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR FEBRUARY 9, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

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IX. PUBLIC HEARING

- 1. USE PERMIT NO. UP2004-38 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2005-1:** A request to operate a martial arts studio in an existing 10,080 square foot industrial building located in the Industrial Park (MP) zoning district at 451 Los Coches Street (APN: 086-28-034). Applicant: Tony Chen. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2406) *(Recommendation: Adopt the Mitigated Negative Declaration and Approve with Conditions)*
- 2. USE PERMIT NO. UP2004-42, "S" ZONE APPROVAL AMENDMENT NO. SA2004-122 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-13:** A request to operate a 24,000 square foot badminton facility with ancillary fitness room and retail shop, minor exterior building and site modifications, located in the Heavy Industrial (M2) zoning district at 1191 Montague Expressway (APN: 086-31-060). Applicant: Jim Todt. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2409). *(Recommendation: Adopt the Mitigated Negative Declaration and Approve with Conditions)*

- * 3. **USE PERMIT NO. UP2004-41, S-ZONE APPROVAL AMENDMENT SA2004-121 AND MITIGATED NEGATIVE DECLARATION EIA NO. EA2004-15:** A request for approval of a 90,000± square foot religious facility in an existing industrial building in the Industrial Park (MP) zoning district, including minor exterior modifications, a parking reduction, and the adoption of a mitigated negative declaration at 1430 California Circle (APN: 022-37-019). Applicant: BAPS-West. Project Planner: Troy Fujimoto, 408-586-3287. (PJ# 3184) *(Recommendation: Adopt the Mitigated Negative Declaration and Approve with Conditions)*
- * 4. **SITE AND ARCHITECTURAL AMENDMENT NO. SA2004-123:** A request for five (5) accessory structures and a perimeter property fence and a reduction in the impervious surface coverage in order to conform to the Hillside Ordinance for the residence located at 1594 Pebble beach Court (APN: 029-55-018). Applicant Edge Concepts. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Continue to February 23, 2005)*

X. OLD BUSINESS

- 5. **UPDATE AND DISCUSSION OF AMENDMENTS TO THE ZONING ORDINANCE, SIGN ORDINANCE AND NEIGHBORHOOD BEAUTIFICATION ORDINANCE TEXTS (ZT2004-2):** Receive an update of the Sign Code Task Force's completed work since the Planning Commission's December 8, 2004 recommendation to Council to amend the following chapters of the Milpitas Municipal Code: Chapter 500 (Neighborhood Beautification Ordinance) and Chapter 10 (Zoning Code) to define continuous and non-continuous violations, reduce the timeframe to address violations, and allow immediate imposition of fines for non-continuous violations; and Chapter 30 (Sign Code) to reorganize and consolidate certain sections, provide definitions of terms, add administrative citation authority, require administrative approval for temporary promotional signs, expand sign program criteria and applicability, provide additional regulations for balloon signs, garage sale signs, open house directional signs, projecting signs, banner signs, coming soon signs, grand opening signs and public information signs and clarify prohibited, permitted and exempt signs. Project Planner: Dennis Carrington, (408) 586-3275. *(Recommendation: Adoption by City Council of ordinance amendments implementing the proposed changes)*

XI. ADJOURNMENT

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- a. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-4:** A request to construct a sunroom addition and masonry trash and storage enclosure located at 219 Dempsey Road (APN: 088-01-037), Zoned Commercial Office (CO). Applicant: All Seasons Remodeling. Project Planner: Cindy Hom, (408) 586-3284.
- b. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-3:** A request to modify landscaping to accommodate installation a new generator and enclosure at 933 Murphy Ranch Road (APN: 086-02-067), Zoned Industrial Park (MP). Applicant: Intersil Corporation. Project Planner: Cindy Hom (408) 586-3284.
- c. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-7:** A request to install replace an existing wall sign with 5’ halo illuminated individual channel letter sign located at 1 Technology Drive (APN: 086-43-031), Zoned Heavy Industrial (M2). Applicant: Corporate Sign Systems. Project Planner: Cindy Hom (408) 586-3284.

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AGENDA FOR FEBRUARY 23, 2005
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IX. PUBLIC HEARING

- 1. SITE AND ARCHITECTURAL AMENDMENT NO. SA2004-123:** A request to permit five (5) accessory structures, site lighting and a perimeter property fence for a hillside residence located at 1594 Pebble beach Court (APN: 029-55-018). Applicant Edge Concepts. Project Planner: Staci Pereira, (408) 586-3278. (*Recommendation: Recommend Approval to City Council*)
- * 2. REVISIONS TO STORMWATER C.3 GUIDEBOOK:** Revisions to the Stormwater C.3 Guidebook to update requirements for Operations and Maintenance (O&M) and new appendices addressing preparation of O&M plans such as a construction plan C.3 checklist, data collection, guidelines for O&M inspectors, a "Fact Sheet" explaining the new C.3 rules for development projects and minor changes including addition of pesticide reduction requirements by use of such practices as pest-resistant plants. Project Planner: Dennis Carrington, (408) 586-3275. (*Recommendation: Approve Planning Commission Resolution No. 498 adopting the Stormwater C.3 Guidebook*)

X. OLD BUSINESS

- 3. REPORT ON IMPACTS OF QUASI PUBLIC USES IN INDUSTRIAL ZONES:** As requested by the Planning Commission, staff has prepared a report on the impacts of quasi-public uses in the industrial zoning districts. Project Planner: James Lindsay, (408) 586-3274. *(Recommendation: Recommend the City Council direct staff to prepare an ordinance prohibiting schools and hospitals in industrial zones and return with a strategy to cluster other future quasi-public uses in the industrial area)*

XI. NEW BUSINESS

- 4. STATUS OF ACTIVITY AT 750 EAST CALAVERAS BOULEVARD (FORMER BOLLYWOOD SITE):** A request by the Planning Commission for an update on the activity concerning 750 E. Calaveras Boulevard. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Note receipt and file)*
- 5. WORKSESSION ON FINDINGS NECESSARY FOR PLANNING COMMISSION ACTIONS:** Kit Faubion, City Attorney to the Planning Commission, will make a presentation to the Commission on findings. *(Recommendation: No action is necessary)*

XII. ADJOURNMENT

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- a.** There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.

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IX. PUBLIC HEARING

- 1. USE PERMIT NO. UP2004-32:** A request to operate a martial arts studio in an existing industrial building and parking modification, located at 775 Montague Expressway (APN: 086-32-030), zoned Heavy Industrial (M2). Applicant: Thomas Tang. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 2403) *(Recommendation: Approval with Conditions)*
- * 2. USE PERMIT APPROVAL AMENDMENT NO. UA2005-2:** A request to modify the approved operation of a religious facility campus from 3 buildings to 2 buildings, located at 995, 1201 and 1225 Montague Expressway (APN: 086-31-058 & 059) in the Fleming Business Park, zoned Heavy Industrial (M2). Applicant: Fernand Banna. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 3168) *(Recommendation: Approval with Conditions)*
- * 3. USE PERMIT APPROVAL AMENDMENT NO. UA2005-1:** A request to add 44 seats (60 total) to an existing deli, located at 463 Valley Way (APN: 022-28-022 and 059), zoned General Commercial (C2). Applicant: George Haddad. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 2412) *(Recommendation: Approval with Conditions)*

- * 4. **MINOR TENTATIVE MAP NO. MI2004-3:** A request to subdivide an existing parcel into two (2) parcels for purposes of creating a new parcel for future residential uses at the Milpitas Town Center, northeast area of Calaveras and Milpitas Boulevards (APN: 028-12-019), zoned Town Center (TC). Applicant: Shapell Industries of Northern California. Staff Contact: Troy Fujimoto, (408) 586-3287. (PJ# 3153) (*Recommendation: Approval with Conditions*)

X. NEW BUSINESS

5. **REPORT ON ANTICIPATED GENERAL PLAN AMENDMENTS:** A summary of several possible City initiated General Plan amendments for review and comment. Staff Contact: James Lindsay, (408) 586-3274. (*Recommendation: Received report and provide initial comments*)
6. **REPORT ON ALTERNATIVE CONCEPTUAL LAND USE VISION PLANS FOR TRANSIT ORIENTED DEVELOPMENT:** A report on alternative conceptual land use vision plans for Transit Oriented Development for a ±400-acre study area surrounding the future Montague/Capitol BART Station and two VTA Light Rail stations. Staff Contact: Dennis Carrington, (408) 586-3275. (*Recommendation: Note Receipt and File*)
7. **CONSIDER CANCELLATION OF THE APRIL 13, 2005 PLANNING COMMISSION MEETING:** Three Planning Commissioners will be attending the annual League of California Cities' Planners Institute April 13-15. Therefore, the Commission may wish to cancel the April 13th meeting. Staff Contact: James Lindsay, (408) 586-3274.

XI. ADJOURNMENT

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- a. **"S" ZONE APPROVAL AMENDMENT NO. SA2005-13:** A request to construct an approximate 35,000 square foot equipment enclosure and add approximately 19,000 square feet of new mezzanine space. Included are various site improvements, revisions to parking spaces, landscape areas and a new loading area at 463 South Milpitas Boulevard (APN: 086-42-016), zoned M2 Heavy Industrial. Applicant: Magic Inc. Staff Contact: Troy Fujimoto, (408) 586-3287.

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IX. PUBLIC HEARING

- 1. TRANSIT AREA PLAN ALTERNATIVES ANALYSIS AND RECOMMENDATION TO THE CITY COUNCIL:** Analysis of alternative conceptual land use vision plans for Transit Oriented Development for a ±400-acre study area surrounding the future Montague/Capitol BART Station and two VTA Light Rail stations. Staff Contact: Dennis Carrington, (408) 586-3275. *(Recommendation: Make a recommendation to City Council regarding the Transit Sub area-Conceptual Land Use Plans)*
- * 2. MINOR TENTATIVE MAP NO. MI2004-3:** *Continued from the March 9th meeting.* A request to subdivide an existing parcel into two (2) parcels for purposes of creating a new parcel for future residential uses at the Milpitas Town Center, northeast area of Calaveras and Milpitas Boulevards (APN: 028-12-019), zoned Town Center (TC). Applicant: Shapell Industries of Northern California. Staff Contact: Troy Fujimoto, (408) 586-3287. (PJ# 3153) *(Recommendation: Continue to the April 13, 2005 meeting)*

X. NEW BUSINESS

- 3. ANNUAL REVIEW OF THE GENERAL PLAN HOUSING ELEMENT POLICIES:** A review of the General Plan Housing Element Policies, Tasks/ Implementation and Status Report. Staff Contact: Felix Reliford, (408) 586-3071. *(Recommendation: Note Receipt and File)*

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 13, 2005

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Zeya Mohsin-regular member, Al Garcia-regular member, Cliff Williams-alternate member) of the Planning Commission, who have approval authority for minor “S” Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. “S” ZONE APPROVAL AMENDMENT NO. SA2005-16:** A request to hold a one-day outdoor event in the parking lot area located at 1535 Landess Ave. (APN: 088-35-017), zoned “C2” General Commercial. Applicant: Classis Party Rental. Staff Contact: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR APRIL 13, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** March 23, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

- IX. PRESENTATION**

- 1. 2004 PLANNING COMMISSION RECOGNITION CERTIFICATES**

- X. PUBLIC HEARING**

- * 2. MINOR TENTATIVE MAP NO. MI2004-3:** *Continued from the March 23, 2005 meeting.* A request to subdivide an existing parcel into two (2) parcels for purposes of creating a new parcel for future residential uses at the Milpitas Town Center, northeast area of Calaveras and Milpitas Boulevards (APN: 028-12-019), zoned Town Center (TC). Applicant: Shapell Industries of Northern California. Staff Contact: Troy Fujimoto, (408) 586-3287. (PJ# 3153) (*Recommendation: Approval with Conditions*)

- XI. NEW BUSINESS**

3. **PRESENTATION OF THE 2005-2010 CAPITAL IMPROVEMENT PROGRAM (CIP):** Presentation on the CIP program, providing an overview of the proposed 2005 – 2010 CIP Annual Report. City Engineer Greg Armendariz, (408) 586-3317 and Associate Civil Engineer Doug De Vries, (408) 586-3313. *(Recommendation: Find the 2005-2010 CIP in conformance with the General Plan and recommend the proposed Capital Improvement Program to City Council)*
- * 4. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-12:** A request to have an outdoor display and/or for-sale products at the front of Deep Emporium market, 98 Dempsey Road, (APN: 088-04-001), zoned Neighborhood Commercial (C1). Applicant: Mangal Singh Pabla. Staff Contact: Kim Duncan, (408) 586-3283. *(Recommendation: Approval with Conditions)*
- * 5. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-24:** A request for an exception to exceed the required letter height for signage to accommodate trademark logo for Engenio located at 670 N. McCarthy Blvd, (APN: 22-29-035), zoned Industrial Park (MP). Applicant: The Irvine Company. Staff Contact: Cindy Hom, (408) 586-3284. *(Recommendation: Approval with Conditions)*

XII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 27, 2005

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-23:** A request to install new signs and replace and reface existing signs at 40 Ranch Drive (APN: 022-54-018), zoned General Commercial (C-2). Applicant: Pacific Neon. Staff Contact: Troy Fujimoto, (408) 586-3287.
- b. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-18:** A request to install new signs for the Parc Place Development at 27-A Curtis Avenue (APN: 086-25-048), zoned Multi-Family Very High Density (R4). Applicant: Western Pacific Housing. Staff Contact: Troy Fujimoto, (408) 586-3287.
- c. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-20:** A request to construct a new covered walkway between two buildings at 50 S. Main Street (APN: 086-27-032), zoned Mixed Use (MXD). Applicant: Avatamsaka Buddhist Lotus Society. Staff Contact: Troy Fujimoto, (408) 586-3287.
- d. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-22:** A request to locate a 242 sq. ft. masonry trash enclosure located at 156 S. Milpitas Blvd. (APN: 086-28-030), zoned Heavy Industrial (M2). Applicant: Crain Cutter Company. Staff Contact: Cindy Hom, (408) 586-3284.

- e. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-30:** A request to install a roll-up door and new entrance door at 845 Yosemite Way (APN: 86-31-068), zoned Heavy Industrial (M2). Applicant: Garry Le. Staff Contact: Staci Pereira, (408) 586-3278.
- f. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-32:** A request to modify condition of approval to allow installation of an approved monument sign located at 1770 Milmont Drive. (APN: 022-37-031), zoned Neighborhood commercial (C1). Applicant: Signs of California. Staff Contact: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR APRIL 27, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** April 13, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

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IX. PUBLIC HEARING

- * **1. MINOR TENTATIVE MAP NO. MI2004-2, SITE AND ARCHITECTURAL REVIEW (SZ2004-9) AND USE PERMIT NO. UP2005-3:** A request to subdivide a parcel into two separate parcels, construct two buildings containing a total of 481 multi-family residential apartment units, and a request for exceptions to the R4-TOD development standards for setbacks, open space, and number of floors at the corner of Great Mall Parkway and Main and Abel Streets (APN: 086-12-10, 15, 16, 20). Applicant: Fairfield Residential LLC. Staff Contact: Troy Fujimoto, (408) 586-3287. (PJ# 3178) (*Recommendation: Continue to May 11, 2005*)

- * **2. USE PERMIT APPROVAL AMENDMENT NO. UA2004-10, "S" ZONE APPROVAL AMENDMENT NO. SA2004-100 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2005-2:** A request for approval to demolish four (4) existing church ancillary buildings (totaling 21,150 square feet), and construction of two (2) new ancillary buildings (totaling 46,350 square feet), with site modifications that include a parking reduction, removal of protected trees, and landscaping, located at 1000 South Park Victoria Drive (APN: 088-37-076), zoned Multi-Family High Density (R3). Applicant: Paul Bunton for Christ Community Church of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 3181) (*Recommendation: Continue to May 11, 2005*)
- * **3. USE PERMIT APPROVAL AMENDMENT NO. UA2005-3, AND 'S' ZONE APPROVAL AMENDMENT NO. SA2005-21:** A request to remove six (6) telecommunication antennas, install three (3) flush mounted antennas and six (6) future antennas on an existing monopole, located at 300 Serra Way (APN: 086-07-026), zoned General Commercial (C2)-Midtown. Applicant: Crown Castle. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 2418) (*Recommendation: Approval with Conditions*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS May 11, 2005

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. "S" ZONE APPROVAL AMENDMENT NO. SA2005-22:** A request to relocate a masonry trash enclosure from a mechanical pad to an adjacent area in the parking lot located at 463 S. Milpitas Blvd. (APN: 086-42-016), zoned Heavy Industrial (M2). Applicant: WHL Architects. Staff Contact: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MAY 11, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** April 27, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

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IX. PUBLIC HEARING

- 1. VESTING MAJOR TENTATIVE TRACT MAP NO. MA2005-4, SITE AND ARCHITECTURE REVIEW NO. SZ2004-9 AND USE PERMIT NO. UP2005-3:** A request to subdivide a parcel into two separate parcels and create 481 multi-family residential units, and a request for exceptions to the R4-TOD (Multi-Family Very High Density with a Transit Oriented Development Overlay) development standards for setbacks, open space, and number of floors at the corner of Great Mall Parkway and Main and Abel Streets (APN: 086-12-15, 16, 20). Applicant: Fairfield Residential. Staff Contact: Troy Fujimoto (408) 586-3287. (PJ# 3178) *(Recommendation: Approve Site and Architecture Review and Use Permit, recommend approval to City Council of Vesting Major Tentative Tract Map and Owners Participant Agreement)*

- * **2. VESTING MINOR TENTATIVE MAP NO. MI2004-2, SITE AND ARCHITECTURAL REVIEW NO. SZ2004-9 AND USE PERMIT NO. UP2005-3 (Continued from April 27, 2005):** A request to subdivide a parcel into two separate parcels, construct two buildings containing a total of 481 multi-family residential apartment units, and a request for exceptions to the R4-TOD development standards for setbacks, open space, and number of floors at the corner of Great Mall Parkway and Main and Abel Streets (APN: 086-12-10, 15, 16, 20). Applicant: Fairfield Residential LLC. Staff Contact: Troy Fujimoto, (408) 586-3287. (PJ# 3178) *(Recommendation: Close public hearing and delete from agenda since replaced by Agenda Item No. 1)*
- * **3. USE PERMIT APPROVAL AMENDMENT NO. UA2004-10, "S" ZONE APPROVAL AMENDMENT NO. SA2004-100 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2005-2 (Continued from April 27, 2005):** A request for approval to demolish four (4) existing church ancillary buildings (totaling 21,150 square feet), and construction of two (2) new ancillary buildings (totaling 46,350 square feet), with site modifications that include a parking reduction, removal of protected trees, and landscaping, located at 1000 South Park Victoria Drive (APN: 088-37-076), zoned Multi-Family High Density (R3). Applicant: Paul Bunton for Christ Community Church of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 3181) *(Recommendation: Continue to June 8, 2005)*
- * **4. TIME EXTENSION NO. TE2005-1:** A request for a one time 18-month time extension for a previously approved 5,000 square foot restaurant (use permit) and an 11,000 square foot, two story office building (S-Zone), with previously approved variances to development standards, at 750 E. Calaveras Boulevard (APN: 086-29-079) in the Industrial Park (MP) zoning district. Applicant: John Ha. Staff Contact: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with Conditions)*
- * **5. USE PERMIT NO. UP2005-7:** A request to operate a restaurant, Jacko's Chops and Noodles, with 14 seats and beer and wine sales in an existing 1,248 square foot retail space at 228 Barber Lane (APN: 086-01-043), zoned General Commercial (C2). Applicant: Roland Cruz. Staff Contact: Staci Pereira, (408) 586-3278. (PJ # 2420) *(Recommendation: Approval with Conditions)*
- * **6. USE PERMIT AMENDMENT NO. UA2005-4 AND "S" ZONE APPROVAL AMENDMENT NO. SA2005-25:** A request to replace an existing 10'-7" monument sign with 7' sign and other exterior site upgrades including repainting the canopy and building, replacing pump valences and other site signage at 1640 N. Milpitas Blvd. (APN: 026-06-001), zoned General Commercial (C2). Applicant: RHL Designs. Staff Contact: Staci Pereira, (408) 586-3278. (PJ # 2419) *(Recommendation: Approval with Conditions)*
- * **7. USE PERMIT AMENDMENT NO. UA2004-9 AND "S" ZONE APPROVAL AMENDMENT NO. SA2004-91:** A request to replace existing 30' freestanding pole sign with an 18' LED sign, rebuild both canopies with flat roofs and other exterior upgrades including replacing building and canopy signage, painting building and replacing pump valences at 1787 S. Main Street (APN: 086-21-069), zoned Industrial Park (MP). Applicant: RHL Designs. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 2398) *(Recommendation: Approval with Conditions)*

- * **8. USE PERMIT NO. UP2005-8 AND "S" ZONE APPROVAL AMENDMENT NO. SA2005-27:** A request to replace two existing monument signs with a new 12' internally illuminated monument sign and install other minor exterior modifications including exterior painting, landscaping, and canopy replacement located at 97 S. Abbott Avenue (APN: 022-28-018), zoned Neighborhood Commercial (C1). Applicant: RHL Design Group Inc. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 2422) *(Recommendation: Approval with Conditions)*
- * **9. USE PERMIT NO. UA2005-5 AND "S" ZONE APPROVAL AMENDMENT NO. SA2005-28:** A request to replace an existing pole sign with a new 12' internally illuminated monument sign and install other minor exterior modifications including exterior painting, landscaping, and a new canopy fascia located at 27 S. Park Victoria Drive, (APN: 088-04-010), zoned Neighborhood Commercial (C1). Applicant: RHL Design Group Inc. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 2421) *(Recommendation: Approval with Conditions)*
- * **10. USE PERMIT NO. UP2005-9:** A request to locate a music school located at 1209 S. Park Victoria Drive, (APN: 088-36-043), zoned "CO" (Commercial Office). Applicant Darrell Leffler. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 2423) *(Recommendation: Approval with Conditions)*
- * **11. CONSIDER AERIAL STATION AND LINE SEGMENT ALTERNATIVE TO RETAINED CUT DESIGN FOR THE FUTURE MONTAGUE/CAPITOL BART FACILITY:** Staff Contact: Tambri Heyden, (408) 586-3280. *(Recommendation: Continue to June 8, 2005)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS May 25, 2005

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- a. **'S' ZONE APPROVAL AMENDMENT NO. SA2005-35:** A request approval for a 240 square foot residential addition located at 327 Moretti Lane (APN: 029-12-098), zoned Single Family Residential (R1-3). Applicant: Antonio Del Rosario. Staff Contact: Kim Duncan, (408) 586-3283.
- b. **'S' ZONE APPROVAL AMENDMENT NO. SA2005-37:** A request approval to re-roof three office building with tri-laminate asphalt composition roof material. (APN: 086-28-019), zoned Industrial Park (MP-S). Applicant: Los Gatos Roofing. Staff Contact: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MAY 25, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** May 11, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

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IX. PUBLIC HEARING

- * **1. USE PERMIT NO. UP2005-2:** A request for a new restaurant, Red Brick Pizza, with 38 seats and beer and wine sales to operate in an existing 1,456 square foot retail tenant space and requires a 9 space parking reduction at 131 Ranch Drive (APN: 022-53-003), zoned (C2) General Commercial. Applicant: Rupen Sheth. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 2415) *(Recommendation: Approval with Conditions)*
- * **2. S-ZONE APPROVAL AMENDMENT NO. SA2005-17 AND USE PERMIT NO. UP2005-5:** A request to locate an approximate 23,700 square foot 24-Hour fitness facility including an ancillary child care facility at 301 Jacklin Road (APN:026-28-030) in the Neighborhood Commercial (C1) zoning district. Applicant: 24-Hour Fitness and Fancher Development Services. Staff Contact: Troy Fujimoto, (408) 586-3287. (PJ# 2417) *(Recommendation: Approval with Conditions)*

X. NEW BUSINESS

- 3. VEHICULAR CIRCULATION UPDATE NO. AD2005-5:** Staff review of traffic circulation at the Calaveras Plaza Shopping Center. Staff Contact: Troy Fujimoto, (408) 586-3287. (*Recommendation: Note Receipt and File*)
- 4. PROGRESS REPORT ON LIBRARY DESIGN:** A presentation by Mark Rogge on the progress of the Library Design. The Library Schematic Design, recently approved by the City Council, shows a 60,000 square foot library that incorporates and gracefully embraces the historic Milpitas Grammar School on 160 N. Main Street. The design incorporates all of the uses described in the Library Needs Assessment and Library Building Program. Staff Contact: Mark Rogge, (408) 586-3043. (*Recommendation: No action required*)
- * 5. “S” ZONE APPROVAL AMENDMENT NO. SA2005-41:** A request to re-roof existing wood shake with asphalt composition roof material for two office buildings within Milpitas Medical-Dental Office Complex located at 420 - 440 E. Calaveras Boulevard (APN: 086-28-019). Applicant: Los Gatos Roofing. Staff Contact: Cindy Hom, (408) 586-3284. (*Recommendation: Approval with conditions*)

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS June 8, 2005

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. “S” ZONE APPROVAL AMENDMENT NO. SA2005-45:** A request to re-stripe a parking area to add 6 stalls and reduce required landscaping by 317 square feet at 55-79 N. Abbott Avenue (APN: 22-28-016), zoned Neighborhood Commercial (C1). Applicant: Don Peoples. Staff Contact: Staci Pereira, (408) 586-3278.
- b. “S” ZONE APPROVAL AMENDMENT NO. SA2005-42:** A request for two (2) new major tenant building signs in Foothill Square, located at 301 Jacklin Road (APN: 026-28-030), zoned Neighborhood Commercial (C1). Project Applicant: Steve Peterson. Staff Contact: Kim Duncan, 408/586-3283.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JUNE 8, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** May 25, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

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IX. PUBLIC HEARING

- 1. SITE AND ARCHITECTURE APPROVAL AMENDMENT NO. SA2005-26:** A request to modify an existing approved project from a two level office building to a one level office building in the Industrial Park (MP) zoning district at 750 E. Calaveras Boulevard (APN: 086-29-079). Applicant: John Ha, IDA. Staff Contact: Troy Fujimoto, (408) 586-3287. (PJ# 3164) (*Recommendation: Approval with Conditions*)
- * 2. USE PERMIT APPROVAL AMENDMENT NO. UA2004-10, "S" ZONE APPROVAL AMENDMENT NO. SA2004-100 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2005-2** (*Continued from May 11, 2005*): A request for approval to demolish four (4) existing church ancillary buildings (totaling 21,150 square feet) and construction of two (2) new ancillary buildings (totaling 46,350 square feet), with site modifications that include a parking reduction, removal of protected trees, and landscaping, located at 1000 South Park Victoria Drive (APN: 088-37-076), zoned Multi-Family High Density (R3). Applicant: Paul Bunton for Christ Community Church of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 3181) (*Recommendation: Continue to August 10, 2005*)

- * **3. USE PERMIT NO. UP2005-10:** A request to operate an 18-seat restaurant at Ulferts Shopping Center at 692 Barber Lane (APN: 086-01-035). Applicant: Pinewave Design and Engineering. Staff Contact: Troy Fujimoto, (408) 586-3287. (PJ# 2424) *(Recommendation: Approval with Conditions)*
- * **4. HILLSIDE SITE AND ARCHITECTURE APPROVAL AMENDMENT NO. SA2005-40:** A request to construct a 363 square foot building addition to an existing single-family home in the Hillside area at 2018 Wellington Drive (APN: 029-48-046). Applicant: Sullivan Santos. Staff Contact: Troy Fujimoto, (408) 586-3287. *(Recommendation: Recommend Approval to City Council)*
- * **5. USE PERMIT AMENDMENT NO. UA2005-6:** A request to add a 178 sq. ft. bar with no seats to an existing restaurant, Royal City, located in Abel Plaza at 90-94 S. Abel Street (APN: 022-24-045). Applicant: Young Thai. Staff Contact: Staci Pereira, (408) 586-3278. (PJ # 2316) *(Recommendation: Approval with Conditions)*

X. NEW BUSINESS

- 6. VEHICULAR CIRCULATION UPDATE NO. AD2005-5:** A request by the Planning Commission to re-examine the circulation at the Calaveras Plaza Shopping Center. Staff Contact: Troy Fujimoto, (408) 586-3287. *(Recommendation: Note Receipt and File)*

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS June 22, 2005

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- a. S-ZONE APPROVAL AMENDMENT NO. SA2005-46:** A request to locate a new garbage enclosure at the rear of the Town Center Shopping Center (APN: 028-12-019), zoned Town Center (TC). Applicant: Shapell Industries of Northern California. Staff Contact: Troy Fujimoto, (408) 586-3287.

b. COMPLIANCE WITH CONDITIONS OF APPROVAL RELATED TO S-ZONE APPROVAL NO. SZ2003-12 - TOWN CENTER REDEVELOPMENT: Review of special conditions Nos. 6, 11, 18, 20 and 21 in regards to the previously approved Town Center Redevelopment project in regards to site, architecture, lighting, and landscaping improvements. Applicant: Shapell Industries of Northern California. Staff Contact: Troy Fujimoto, (408) 586-3287

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JUNE 22, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** June 8, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. S-ZONE APPROVAL AMENDMENT NO. SA2005-38, USE PERMIT AMENDMENT NO. UA2005-8 AND VARIANCE NO. VA2005-1 - SIGN PROGRAM AMENDMENT & NEW ENTRY WORK:** A request to amend the existing sign program at the Great Mall Shopping Center, including new colors and theme, a variance to directional sign size limitations, and a request for new and modified mall entrance elements at the Great Mall Shopping Center at 1100 South Main Street (APN: 086-24-055) zoned C2 General Commercial. Applicant: Great Mall. Staff Contact: Troy Fujimoto, (408) 586-3287. (PJ# 2426) *(Recommendation: Approval with Conditions)*
- * 2. USE PERMIT AMENDMENT NO. UA2005-7 AND S-ZONE APPROVAL AMENDMENT NO. SA2005-36:** A request to replace an existing monument sign with an 8' double-faced non-illuminated monument sign for the Calaveras Park Professional Center located at 450-470 E. Calaveras Boulevard (APN: 086-28-020), zoned "MP" Industrial Park. Applicant: Corporate Sign Systems. Staff Contact: Cindy Hom, (408) 586-3284. (PJ # 2425) *(Recommendation: Approval with Conditions)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS July 13, 2005

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Zeya Mohsin-regular member, Cliff Williams-regular member, Sudhir Mandal-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. S-ZONE APPROVAL AMENDMENT NO. SA2005-47:** A request to construct a 340 sq. ft. second story room addition and minor exterior modifications including new windows and replacing solarium roof with glass panels located at 1641 Pebble Beach Court (APN: 029-22-12), zoned Single Family Residential Hillside (R1-H), PUD 21. Applicant: Pete Spraggins. Staff Contact: Cindy Hom, (408) 586-3284.
- b. S-ZONE APPROVAL AMENDMENT NO. SA2005-48:** A request to hold a two day outdoor event on June 24, 2005 to June 25, 2005 for the American Cancer Society's Relay for Life event held at the Sports Center track field located at 1325 E. Calaveras Blvd. (APN: 029-17-015), zoned Parks and Open Space (POS). Applicant: A-ABCO Rents and Sells, Inc. Staff Contact: Cindy Hom, (408) 586-3284.

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**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JULY 13, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** June 22, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. ELECTION OF THE OFFICERS**
- IX. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

- X. PUBLIC HEARING**

- 1. "S" ZONE APPROVAL AMENDMENT NO. SA2005-33, USE PERMIT AMENDMENT NO. UA2005-10 AND MAJOR TENTATIVE TRACT MAP NO. MA2005-3:** A request to amend a previously approved mixed use development to reduce the number of residential condominium units from 96 to 93, modify the Density Bonus approval to exceed the maximum density by 4 units, site and architectural modifications and to not provide 28 required parking spaces at 230 North Main Street (APN: 028-24-017 and -018), zoned MXD-TOD. Applicant: Apton Properties. Staff Contact: Staci Pereira, (408) 586-3278. (PJ # 3144) (*Recommendation: Recommend to the City Council Approval of the amended Density Bonus, "S" Zone Approval Amendment No. SA2005-33, Use Permit Amendment No. UA2005-10 and Major Tentative Tract Map No. MA2005-3*)

- XI. ADJOURNMENT**

THE NEXT PLANNING COMMISSION MEETING IS July 27, 2005

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Cliff Williams-regular member, Sudhir Mandal-regular member, Norman Azevedo-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. "S" ZONE APPROVAL AMENDMENT NO. SA2005-50:** A request to increase the overall height of previously approved wall signs to approximately 6'-2" on the north elevation and approximately 3'-3" on the east elevation for 24 Hour Fitness located at 301 Jacklin Road (APN: 026-28-030), zoned Neighborhood Commercial (C1). Applicant: Chandler Signs. Staff Contact: Cindy Hom, (408) 586-3284

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**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JULY 27, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** July 13, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

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IX. PUBLIC HEARING

- 1. "S" ZONE APPROVAL NO. SZ2005-6 AND USE PERMIT NO. UP2005-13:** A request for a Senior Housing Development with 103 units (1 manager and 102 affordable senior units), associated site improvements including the relocation of the Smith-Devries house on site, a Density Bonus of 49 units and reductions in drive aisle width and parking requirements for the property located at 163 N. Main Street (APN: 022-08-041). Applicant: Mid-Peninsula Housing Coalition. Staff Contact: Staci Pereira, (408) 586-3278. (PJ # 3192) (*Recommendation: Recommend to the City Council approval of the Density Bonus, "S" Zone Approval No. SZ2005-6 and Use Permit No. UP2005-13*)

- * 2. **USE PERMIT APPROVAL AMENDMENT NO. UA2005-9 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2005-6:** A request to operate a 10-week summer day camp within an existing 20,358 square foot community center with activities such as arts and crafts, field trips, indoor exercise, and musical theater and science programs, located at 555 Los Coches Street (APN: 086-28-051), zoned Industrial Park (MP). Applicant: India Community Center. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 2405) (*Recommendation: Approval with Conditions and Adoption of the Mitigated Negative Declaration*)
- * 3. **USE PERMIT NO. UP2005-14, "S" ZONE APPROVAL NO. 2005-8, AND ENVIRONMENTAL ASSESSMENT NO. EA2005-4:** A request to operate a 24.4 acre indoor/outdoor community center (Milpitas Sports Center) with existing uses such as outdoor baseball, soccer, and track fields, as well as a 38,100 square foot indoor facility with aquatic center, fitness rooms, and community rooms. Proposed future improvements include tennis courts with pro shop, circulation improvements, football field, materials storage area, and signage, with parking modification, located at 1325 East Calaveras Boulevard (APN: 29-17-004-013, 015), zoned Parks and Open Space (POS). Applicant: City of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283. (*Recommendation: Application Withdrawn*)

X. PRESENTATION

- 4. **TRAINING ON THE CITY OF MILPITAS OPEN GOVERNMENT ORDINANCE:** Staff Contact: City Attorney Richard Pio Roda, (408) 586-3040. (*Recommendation: N/A*)
- 5. **TRAINING ON THE CITY OF MILPITAS OFFICIALS' EVENT CALENDAR:** Staff Contact: Terry Medina, (408) 586-2703. (*Recommendation: N/A*)
- 6. **DISCUSS PLANNING COMMISSION'S REQUEST FOR DVD FOR PLANNING COMMISSION RELATED CITY DOCUMENTS WITH A SEARCH FEATURE:** Staff Contact: Terry Medina, (408) 586-2703. (*Recommendation: N/A*)

XI. NEW BUSINESS

- 7. **ZONING ORDINANCE TEXT AMENDMENT NO. ZT2005-2:** Discussion of proposed Ordinance No. 38.767 Zoning Code Text Amendments. Applicant: City of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283. (*Recommendation: N/A*)

XII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS August 10, 2005

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-52:** A request for an outdoor tent event for Solelectron’s employee appreciation event held on 7/28/05 in the parking lot between buildings 2 and 3 located at 677 and 727 Gibraltar Drive (APN: 086-42-022), zoned (M2) Heavy Industrial. Applicant: Ascot Special Events. Staff Contact: Cindy Hom, (408) 586-3284.

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**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 10, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** July 27, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. ZONING TEXT AMENDMENT NO. ZT2005-2 and ENVIRONMENTAL ASSESSMENT NO. EA2005-3:** Revise the definitions of "gross acreage", "infill", "efficiency apartment", "food store", "redevelopment", and "vocational schools"; Revision of language pertaining to the Density Bonus ordinance reflecting new State Density Bonus law, approval requirements and exemption of home occupation ordinance for small and large family day care homes, useable open space requirements, density bonus approval authority, minimum size of private recreational amenities, guest parking requirements in the Midtown Specific Plan Area, athletic facility parking requirements, and revisions to the Subdivision Ordinance clarifying the multifamily condominium conversion procedure, deletion of duplicate Agricultural Residential (AR-Section 9) ordinance, and minor clarifications to existing text. And, addition of the following uses: print shops in Industrial Districts (M1, M2, MP), auto parts sales and wholesales in Highway Services (HS), fish breeding in Light Industrial (M1), and farmers' markets Citywide with the exception of Residential Districts, and addition of conditionally permitted uses of Neighborhood Commercial (C1) district to General Commercial (C2) district. Applicant: City of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283. *(Recommendation: Recommend the City Council adopt a resolution approving the Draft Negative Declaration and adopt Ordinance No. 38.767)*

- * 2. **USE PERMIT APPROVAL AMENDMENT NO. UA2004-10; “S”-ZONE APPROVAL AMENDMENT SA2004-100, AND ENVIRONMENTAL ASSESSMENT NO. EA2005-2:** A request to demolish four (4) existing religious facility ancillary buildings (approximately 21,150 square feet) and construction of two (2) new ancillary buildings (approximately 49,500 square feet), with site modifications that include a parking reduction, removal of protected trees and new landscaping. Applicant: Christ Community Church of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 3181)
(*Recommendation: Continue to the August 24, 2005 meeting*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS August 24, 2005

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There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.

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**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 24, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** August 10, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. USE PERMIT APPROVAL AMENDMENT NO. UA2004-10; "S"-ZONE APPROVAL AMENDMENT NO. SA2004-100, AND ENVIRONMENTAL ASSESSMENT NO. EA2005-2:** A request to demolish four (4) existing religious facility ancillary buildings (approximately 21,150 square feet) and construction of two (2) new ancillary buildings (approximately 49,500 square feet), with site modifications that include a parking reduction, removal of protected trees and new landscaping at 1000 South Park Victoria Drive (APN: 088-37-076) zoned Multi-Family High Density (R3). Applicant: Christ Community Church of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 3181) *(Recommendation: Approval with Conditions and Adoption of the Draft Mitigated Negative Declaration)*

2. **AMENDMENT TO THE MILPITAS GENERAL PLAN TO DEFINE THE TERM “ACRE, GROSS”:** A proposed amendment to the Milpitas General Plan to amend the definition of “Acre, Gross” on Page G-1 of the Glossary of the General Plan. The definition of “Acre, Gross” would be amended to allow certain rights of way to be excluded from the calculation of gross acreage for land proposed for redevelopment. Applicant: City of Milpitas. Staff Contact: Dennis Carrington, (408) 586-3275. *(Recommendation: Amend the Milpitas General Plan Definition of “Acre, Gross” as defined in the staff report)*

- * 3. **USE PERMIT NO. UP2005-16:** A request to locate 4 onsite tract signs for a KB Home residential project under construction at 600 South Abbott Avenue and the property located on the southwest corner of South Abel Street and Curtis Avenue (APN: 086-05-009 and 086-11-013), zoned Multi-Family, High Density (R3) and Multi-Family, Very High Density (R4). Applicant: Motivational Systems, Inc. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 2430) *(Recommendation: Approval with Conditions)*

X. OLD BUSINESS

4. **PRIVATE USABLE OPEN SPACE REQUIREMENTS FOR RESIDENTIAL USES FOR AMENDMENTS TO THE ZONING ORDINANCE TEXT NO. ZT2005-2:** Discussion of proposed zoning text amendments to private usable open space requirements for residential uses as requested by the Planning Commission. Applicant: City of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283. *(Recommendation: Recommend inclusion of Private Usable Open Space Requirement for Residential Uses with Amendments to the Zoning Ordinance Text to City Council)*

XI. NEW BUSINESS

- * 5. **GENERAL PLAN CONFORMANCE OF MILPITAS UNIFIED SCHOOL DISTRICT (MUSD) PARCEL AT NORTHEAST CORNER OF WASHINGTON STREET AND ROGER STREET:** A request to find the disposition of a 9,950 square foot undeveloped parcel owned by the Milpitas Unified School District (MUSD) located at the Northeast corner of Washington Street and Roger Street (APN: 026-11-024) is not in conflict with the General Plan. Applicant: Milpitas Unified School District. Staff Contact: Staci Pereira, (408) 586-3278. *(Recommendation: Find the Disposition of the MUSD Parcel in Conformance with the General Plan)*

XII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS September 14, 2005

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

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- a. “S”-ZONE APPROVAL AMENDMENT NO. SA2005-56:** A request for approval of a new trash enclosure and minor exterior modifications to an existing industrial building, located at 601 Vista Way (APN: 86-29-069), zoned Heavy Industrial (M2). Applicant: Mahesh Patel. Staff Contact: Kim Duncan, (408) 586-3283.
- b. “S” ZONE APPROVAL AMENDMENT NO. SA2005-54:** A request to construct a new trash enclosure at the rear of the Beresford Shopping Center and to reconstruct an existing enclosure by adding chain link material above the existing enclosure and replacing the gate with a chain link gate. Located at 15 and 31 N. Milpitas Boulevard (APN: 028-22-132), zoned (TC) Town Center. Applicant: Shapell Industries. Staff Contact: Dennis Carrington (408) 586-3275.
- c. “S” ZONE APPROVAL AMENDMENT NO. SA2005-55:** A request to conduct a one-day outdoor event at AVNET Corporation. The annual employee and suppliers appreciation day event will be held on September 22, 2005, from 4:00 pm to 8:00 pm. Food and drinks will be served for up to 1,500 people. Two food service areas, two bar areas, a bandstand with amplified music, two reception areas and four temporary restrooms are proposed. Located at 1820 McCarthy Boulevard at Barber Lane (APN: 086-03-084), zoned (MP) Industrial Park. Applicant: AVNET Corporation. Staff Contact: Dennis Carrington (408) 586-3275.

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**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR SEPTEMBER 14, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** August 24, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

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IX. PUBLIC HEARING

- 1. USE PERMIT NO. UP2004-12, "S" ZONE APPROVAL AMENDMENT NO. SA2004-107 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-11:** A request for approval to operate a commercial indoor paintball facility located in a 59,849 square foot industrial building. Proposed uses include paintball gaming and ancillary retail sales of paintball supplies, as well as parking lot modifications, located at 1001 Yosemite Drive (APN: 086-29-048), zoned Heavy Industrial (M2). Applicant: Dale Williams. Staff Contact: Kim Duncan, (408) 586-3283). (PJ# 2427) (*Recommendation: Approval with Conditions*)
- * 2. USE PERMIT NO. UP2005-17:** A request for a new restaurant, Pizza Depot, with 10 seats in an existing 1,200 square foot retail tenant space including the sale and on-site consumption of beer and wine at 1810 Milmont Drive (APN: 022-37-031), zoned Neighborhood Commercial (C1). Applicant: Charan Singh Vraich. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 2432) (*Recommendation: Approval with Conditions*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS September 28, 2005

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. "S" ZONE APPROVAL AMENDMENT NO. SA2005-57:** A request for the construction of a 1,160 square foot trash enclosure and storage building with landscaping at the rear of a commercial building located at 130 North Milpitas Boulevard (APN: 028-12-006) zoned Town Center (TC). Applicant: Eric Schwartz. Staff Contact: Kim Duncan, (408) 586-3283.

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**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR SEPTEMBER 28, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** September 14, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. STORMWATER C.3 GUIDEBOOK ADMINISTRATIVE PERMIT NO. AD2005-5,** A request to amend the City of Milpitas Stormwater C.3 Guidebook that would incorporate new Regional Water Quality Control Board permit requirements into new and redeveloped private and public projects. Staff Contact: Dennis Carrington, (408) 586-3275 (*Recommendation: approve Planning Commission Resolution No. ____ adopting the revised Stormwater C.3 Guidebook*)
- 2. URBAN RUNOFF GENERAL PLAN AMENDMENT NO. GP2005-5.** Proposed amendment to the Milpitas General Plan to amend Chapter 4.4, Water Quality and Conservation and Chapter 4.9 d, Open Space/Conservation Principles and Policies/Water Quality and Conservation of the Open Space and Environmental Conservation Element. Staff Contact: Dennis Carrington, (408) 586-3275 (*Recommendation: Recommend that the City Council amend the Open Space and Environmental Conservation Element of the General Plan as shown in Attachment A*)

- * 3. **TENTATIVE CONDOMINIUM MAP NO. MI2005-2:** A request for approval for a tentative condominium map to subdivide an existing duplex into two units located at 1346 Chewpon Avenue (APN: 088-34-016) Applicant: Bicha Kunhamed and Suprapadh Manohar. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 3191) (*Recommendation: Approve with Conditions*)
- * 4. **USE PERMIT APPROVAL AMENDMENT NO. UA2005-12:** A request to add alcohol sales of all types to an existing grocery and video rental store, located at 102 South Abel Street (APN: 022-24-045), zoned Mixed Use (MXD)-Midtown. Applicant: Dalbir Saini. Staff Contact: Kim Duncan (408) 586-3283. (PJ#2434) (*Recommendation: Approval with Conditions*)

X. NEW BUSINESS

- 5. **ABEL STREET/S. MAIN STREET MEDIAN ISLAND PLAN LINE STUDY & TRAFFIC IMPACT FEE:** New Capital Improvement Project to identify the appropriate configuration of new landscaped median islands on Abel Street between Capital Avenue and S. Main Street and S. Main Street between Abel Street and Montague Expressway, including an extensive community outreach process and a proposed traffic impact fee for new development projects. Staff Contact: Jaime Rodriquez, (408) 586-3335. (*Recommendation: Recommend to the City Council to approve the proposed development impact fee.*)
- * 6. **GENERAL PLAN CONFORMANCE FOR THE VACATION OF PUBLIC RIGHT-OF-WAY (PORTIONS OF WELLER LANE AND WINSOR STREET):** A request for the vacations of Weller Lane, east of North Main Street and the northern portion of Winsor Street to accommodate the future library on North Main Street. Staff Contact: Steve Erickson, (408) 586-3414. (*Recommendation: Find the partial vacations of Weller Lane and Winsor Street are in conformance with the General Plan*)

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS October 12, 2005

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- a. **MAJOR TENTATIVE MAP AMENDMENT NO. TM2005-1:** Request to modify the major Tentative Map No. MA2003-4 Conditions of Approval Nos. 69 (Streetlight fixtures) and 86

(Recycled Water) of the previously approved KB/Elmwood Residential Development at S. Abel Street (APNs 86-05-003, 009 & 012, 021, 86-10-001, 025 & 026, 86-11-008 & 013 and 86-25-010). Applicant: KB Homes. Project Planner: Staci Pereira, (408) 586-3278.

- b. “S” ZONE APPROVAL AMENDMENT NO: SA2005-60:** Request for a one day outdoor event for a charity walk-a-thon and children’s activities tent in the front parking lot located at 1430 California Circle (APN: 022-37-019). Applicant: BAPs. Project Planner: Cindy Hom, (408) 586-3284.

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**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR OCTOBER 12, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

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IX. PUBLIC HEARING

- * 1. USE PERMIT APPROVAL AMENDMENT NO. UA2005-11 AND "S" ZONE APPROVAL AMENDMENT NO. SA2005-53:** A request to convert an existing loading dock and storage area into a multi-purpose room, minor exterior building modifications, and a parking modification for a religious facility located in the Dixon Landing Business Park, zoned Industrial Park (MP), at 1494 California Circle (APN: 022-37-011). Applicant: Living Word Baptist Church. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 3172) (*Recommendation: Approval with Conditions*)
- 2. MAJOR TENTATIVE MAP NO. MA2005-2:** A request for a Vesting Major Tentative Map to subdivide 4.56 acres (currently three parcels) into 12 parcels with nine parcels for 147 multifamily condominium units and three parcels for the associated common areas located at 1696 South Main Street and 75 Montague Expressway (APNs: 086-34-017, -019 and -020), zoned Multifamily Very High Density (R4). Applicant: Oak Springs Development. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 3188) (*Recommendation: Recommend Approval to City Council*)

3. **USE PERMIT NO UP2005-18:** A request for a temporary sales office trailer adjacent to model homes for the KB Terra Serena development (both single family and town homes) located on the west side of South Abel Street (APN: 086-05-009), zoned Multifamily high Density (R3). Applicant: KB Homes South Bay, Inc. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 3160) (*Recommendation: Continue to October 26, 2005*)
4. **MAJOR TENTATIVE MAP AMENDMENT NO. TM2005-1:** A request to modify Major Tentative Map No. MA2003-4 Condition of Approval Nos. 69 (Streetlight fixtures) and 86 (Recycled Water) of the recently approved KB Homes Development (GP2003-1, ZC2003-2, MA2003-4, PD2003-1, SZ2003-6, UP2003-26 and EA2003-7) located on the east and west sides of South Abel Street (APNs: 086-05-003, 009 and 012, 021, 086-10-001, 025 and 026, 086-11-008 and 013 and 086-25-010) zoned, Multifamily High Density (R3) and Multifamily Very High Density (R4). Applicant: KB Homes South Bay, Inc. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 3160) (*Recommendation: Recommend Approval to City Council*)
5. **REVISIONS TO THE MILPITAS MUNICIPAL CODE CHAPTER 2 TREE AND PLANTING TO ADD A HERITAGE TREE PROGRAM, ZT2005-5.** Proposed amendments to the City of Milpitas Heritage Tree and Planting Ordinance to include the Heritage Tree Program. The amendments would incorporate a new Heritage Tree Program. Key changes include: Addition of Section 2, Definitions, X-2-2.10, Heritage Tree Program and Section 7 Tree Protection, X-7-01-3, Heritage Tree Program. The program would increase public awareness of the important contribution of trees to the residents of Milpitas. The goals of the program are to recognize and designate individual trees or groves of trees to promote appreciation of the trees and their benefit to the community, and to nurture and protect the trees as part of the city's heritage. Applicant: City of Milpitas. Staff Contact: Dennis Carrington, (408) 586-3275. (*Recommendation: Recommend that the City Council amend the City of Milpitas tree and planting ordinance to include the heritage tree program as shown in the staff report*)

X. NEW BUSINESS

6. **“S” ZONE APPROVAL AMENDMENT NO. SA2005-61:** A request to remove seven (7) protected trees with minor site and building modifications to an existing industrial building located at 601 Vista Way (APN: 086-29-069), zoned Heavy Industrial (M2). Applicant: Mahesh Patel. Staff Contact: Kim Duncan, (408) 586-3283. (*Recommendation: Approval with Conditions*)

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS October 26, 2005

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- a. “S” ZONE APPROVAL AMENDMENT NO. SZ2005-59:** A request to permit an existing PVC waste water storage tank 10’(h) x 9’-1/2”(w) at the rear of a heavy industrial building located at 1648 Watson Court (APN: 092-08-065), zoned heavy industrial (M2). Applicant: Cordova Printed Circuits. Staff Contact: Staci Pereira, (408) 586-3278.

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AGENDA FOR OCTOBER 26, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
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IX. PUBLIC HEARING

- 1. TIME EXTENSION NO. TE2005-3, "S" ZONE APPROVAL AMENDMENT NOS. SA2005-72 & 73, USE PERMIT APPROVAL AMENDMENT NOS. UA2005-15 & 16:** A request for a one time 18-month time extension for a multi-family residential project (65 units) and modification of previously approved Conditions of Approval Nos. 50a (residential portion) and 51a (commercial portion) for the Hillview/Town Center intersection, located in the Town Center near the intersection of East Calaveras and North Milpitas Boulevard (APN: 028-12-004, 006, 013, 014, 016, and 019), zoned Town Center (TC). Applicant: Shapell Industries. Staff Contact: Kim Duncan, (408) 586-3283. (PJ# 3153)
(Recommendation: Approval with Modified Conditions)

- * 2. **“S” ZONE APPROVAL NO. SZ2005-3 AND USE PERMIT NO. UP2005-17:** A request for a multifamily residential development consisting of 147 condominium units and associated site improvements and includes deviations to setbacks, drive aisle width, parking space dimensions and open space requirements for the properties located at 1696 South Main Street and 75 Montague Expressway (APNs: 086-34-017, -019 and -020), zoned Multifamily Very High Density (R4). Applicant: Oak Springs Development. Staff Contact: Staci Pereira, (408) 586-3278. (PJ # 3188) (*Recommendation: Continue to December 14, 2005*)
- * 3. **USE PERMIT NO UP2005-18:** A request for a temporary sales office trailer adjacent to model homes for the KB Terra Serena development (both single family and town homes) located on the west side of South Abel Street (APN: 086-05-009), zoned Multifamily High Density (R3). Applicant: KB Homes South Bay, Inc. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 3160) (*Recommendation: Continue to November 9, 2005*)

X. NEW BUSINESS

- 4. **PROGRESS REPORT ON LIBRARY DESIGN DEVELOPMENT:** A presentation by Mark Rogge on the progress of the Library Design Development and the East Parking Garage Schematic Design. Staff Contact: Mark Rogge, (408) 586-3043. (*Recommendation: Note, Receipt and File*)
- 5. **“S” ZONE APPROVAL NO. SZ2005-14:** A request for approval of a non tri-laminate asphalt composition roof for a duplex located at 1298 Chewpon Avenue and 1072 Hay Court (APNs: 088-34-081 and 82), zoned One and Two-family Residential District (R2). Applicant: Antonia De Guzman and Joe Nicewonger. Staff Contact: Dennis Carrington, (408) 586-3275. (*Recommendation: Denial*)

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS November 9, 2005

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- a. ADMINISTRATIVE PERMIT NO. AD2005-13:** A request for Planning Subcommittee direction on modification to previously approved Town Center hanging arcade oval sign shape, located in Town Center near the intersection of East Calaveras Boulevard (north) and North Milpitas Boulevard (east) (APN: 028-12-004, 006, 013, 016, 019), zoned Town Center (TC). Applicant: City Initiated. Staff Contact: Kim Duncan, (408) 586-3283.
- b. “S” ZONE APPROVAL AMENDMENT NO. SA2005-74:** A request to install a new emergency generator and 375 square foot enclosure located at 155 South Milpitas Blvd (APN: 086-39-022), zoned Heavy Industrial (M2). Applicant: William Harrison. Staff Contact: Cindy Hom, (408) 586-3284.

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**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR NOVEMBER 9, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** October 26, 2005
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IX. PUBLIC HEARING

- 1. USE PERMIT NO. UP2005-18:** A request for a temporary sales office trailer adjacent to model homes for the KB Terra Serena development (both single family and town homes) located on the west side of South Abel Street (APN: 086-05-009), zoned Multifamily High Density (R3). Applicant: KB Homes South Bay, Inc. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 3160) *(Recommendation: Approval with Conditions)*
- 2. AMENDMENT TO THE MILPITAS GENERAL PLAN NO. GP2005-8 TO DEFINE THE TERM "ACRE, GROSS":** A request to amend the definition of "Acre, Gross" in the Glossary of the Milpitas General Plan and amend the zoning ordinance text. Applicant: City of Milpitas. Staff Contacts: Dennis Carrington, (408) 586-3275 and Kim Duncan, (408) 586-3283. *(Recommendation: Approval to City Council)*

3. **MAJOR TENTATIVE MAP AMENDMENT NO. TM2005-1:** A request to modify Major Tentative Map No. MA2003-4 Condition of Approval Nos. 69 (Streetlight fixtures) and 86 (Recycled Water) of the recently approved KB Homes Development (GP2003-1, ZC2003-2, MA2003-4, PD2003-1, SZ2003-6, UP2003-26 and EA2003-7) located on the east and west sides of South Abel Street (APNs: 86-05-003, 009 & 012, 021, 86-10-001, 025 & 026, 86-11-008 & 013 and 86-25-010). Applicant: KB Homes South Bay, Inc. Staff Contact: Staci Pereira, (408) 586-3278. (PJ# 3160) (*Recommendation: Approval to City Council*)
- * 4. **USE PERMIT AMENDMENT NO. UA2005-13:** A request for approval to add sales of all types of alcohol for an existing restaurant located at 181 Ranch Drive (APN: 022-53-002), zoned General Commercial (C2). Applicant Pasta Pomodoro. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 2435) (*Recommendation: Approval with Conditions*)
- * 5. **USE PERMIT NO. UP2005-22:** A request for approval to operate a convenience store within the Great Mall located at 1100 South Main Street (APN: 086-24-055), zoned General Commercial (C2). Applicant: Muluguetta Kebeded. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 2438) (*Recommendation: Approval with Conditions*)

X. OLD BUSINESS

6. **FOLLOW UP REPORT ON THE TOWN CENTER/HILLVIEW INTERSECTION:** A presentation by Jaime Rodriguez, the City Traffic Engineer, on the Town Center/Hillview Drive intersection as requested by the Planning Commission at the October 26, 2005 meeting. Staff Contact: Jaime Rodriguez, (408) 586-3335. (*Recommendation: Note, Receipt, and File*)

XI. NEW BUSINESS

- * 7. **ADMINISTRATIVE ITEM NO. AD2005-14:** Approve 2006 Planning Commission meeting schedule provided in the agenda packet. Staff Contact: Tom Williams, (408) 586-3280. (*Recommendation: Approval*)

XII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS December 14, 2005

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- a. ADMINISTRATIVE PERMIT NO. AD2005-15:** A request for a one-day outdoor tent event with amplified music for a private party located at 464 East Calaveras Boulevard (APN: 086-28-020), zoned Industrial Park (MP-S). Applicant: Dr. Neal Swann. Staff Contact: Cindy Maxwell, (408) 586-3287.
- b. ADMINISTRATIVE PERMIT NO. AD2005-16:** A request for a one-day outdoor tent event held in the front parking lot of Home Depot Pro, located at 1535 Landess Avenue (APN: 088-35-017), zoned General Commercial (C2-S). Applicant: Classic Party Rentals. Staff Contact: Cindy Hom, (408) 586-3284.
- c. "S" ZONE APPROVAL AMENDMENT NO. SA2005-75:** A request for approval to locate a new equipment enclosure at the rear of the building located at 497 S. Hillview Drive (APN: 086-38-028), zoned Heavy Industrial (M2-S). Applicant: Dan Burris. Staff Contact: Cindy Hom, (408) 586-3284

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**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR DECEMBER 14, 2005
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** November 9, 2005
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. "S" ZONE APPROVAL NO. SZ2005-3 AND USE PERMIT NO. UP2005-17** (*Continued from October 26, 2005*): A request for a multifamily residential development consisting of 147 condominium units and associated site improvements, including deviations to setbacks, drive aisle width, parking space dimensions and open space requirements for the properties located at 1696 South Main Street and 75 Montague Expressway (APNs: 086-34-017, -019 and -020), zoned Multifamily Very High Density (R4). Applicant: Oak Springs Development. Staff Contact: Tom Williams, (408) 586-3280. (PJ # 3188) (*Recommendation: Approval with Conditions*)
- 2. MAJOR TENTATIVE PARCEL MAP NO. MA2005-6:** A request to subdivide an existing 44,892 square foot industrial building into twenty-four (24) condominium units for individual ownership, located at 995 Montague Expressway (APN: 086-31-059), zoned Heavy Industrial (M2). Applicant: Calvin Phan. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 2433) (*Recommendation: Approval with Conditions*)

- * 3. **USE PERMIT AMENDMENT NO. UA2005-14:** A request for a Use Permit Amendment to UP2005-2 to increase indoor seating at the Red Brick Pizza H
- * 4. **"S" ZONE APPROVAL AMENDMENT NO. SA2005-76:** A request to amend a previously approved sign program for Abel Plaza to permit signs to be 18-inch high individual channel letters instead of the former requirement for 15-inch high fonts in cabinet signs with radius corners along with other modifications pursuant to Title XI, Chapter 30, Signs, of the Milpitas Municipal Code, located at 52-118 South Abel Street (APN: 022-24-045), zoned MXD-TOD. Applicant: Anh Hoang for Robert Yen. Staff Contact: Dennis Carrington, (408) 586-3275. (PJ# 2441) (*Recommendation: Continue to January, 11, 2005*)

X. NEW BUSINESS

- * 5. **SIX-MONTH REVIEW NO. PR2005-1:** A six-month review of Use Permit No. UP2004-9 for USA O'Mei Kung Fu Academy, a martial arts studio that is situated in an existing 10,080 square foot industrial building located at 451 Los Coches Street (APN: 086-28-034), zoned Industrial Park. Applicant: Tony Chen. Staff Contact: Cindy Hom, (408) 586-3284. (PJ # 2406) (*Recommendation: Note Receipt and File*)

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS January 11, 2006

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Norman Azevedo-regular member, Sudhir Mandal-regular member, Deepka Lalwani-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **ADMINISTRATIVE ITEM NO. AD2005-18:** A request to modify an approved monument sign footprint from 242 square feet to 665 square feet, at the northwest corner of East Calaveras Boulevard and Town Center Drive (APN: 028-12-019), zoned Town Center (TC). Applicant: City of Milpitas. Staff Contact: Kim Duncan, (408) 586-3283.
- b. **"S" ZONE APPROVAL AMENDMENT NO. SA2005-82:** A request to remove six parking stalls and construct a 1,160 square foot concrete exterior equipment enclosure as well as install other minor building modifications located at 801 Buckeye Court (APN: 086-03-039), zoned Industrial Park (MP). Applicant: Greg Bunton. Staff Contact: Cindy Hom (408) 586-3284.

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN**

**GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT
THE OPEN GOVERNMENT COMMISSION**

at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

E-mail: rpioroda@ci.milpitas.ca.gov

Fax: (408) 586-3030

Phone : (408) 586-3000

A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website www.ci.milpitas.ca.gov Select Open Government Ordinance under News Features